

This is just the beginning, Mr. President. Yesterday, at the Upside Conference, a meeting of high-tech industry leaders here in Washington, Roberta Katz, General Counsel for Netscape, said of the government's case against Microsoft, "This is about a lot more than just Microsoft." To Ms. Katz I say, be careful what you wish for, be very careful what you wish for. Today the government's target is Microsoft, but tomorrow, it could very well be Netscape.

The Antitrust Division, in filing its case against Microsoft, is working to justify an expanded role for government in the high-tech industry. The further its tentacles are allowed to reach into high-tech market, the tighter its grip on the industry will become.

In fact, at a hearing tomorrow before Judge Jackson, the Justice Department will request that it be allowed to expand the scope of its case against Microsoft. There are two explanations for the Justice Department's motives; both are troubling. The first is that the Antitrust division is seeking to increase the aspects of the high-tech industry over which it will gain control if it wins the case. The second is that the Division is becoming increasingly desperate to find an issue, any issue, on which it can prevail in court.

The first point should be of no little concern to Ms. Katz of Netscape and her counterparts at all the other high-tech companies cheering the Justice Department on. But it is the second point on which I would like to expand.

The Antitrust Division knows that its case against Microsoft is literally falling apart at the seams. As my colleagues will recall, on June 23 a three judge United States Appeals Court panel overturned the preliminary injunction issued against Microsoft last December. The heart of the injunction, and the heart of the Department's current case against Microsoft, is the company's decision to integrate its web browser into its Windows operating system.

As soon as the Appeals Court ruled that the integration of browser technology into Windows as not a violation of U.S. antitrust law, Joel Klein started scrambling frantically for other claims to make against Microsoft. If the Administration's concern was truly that Microsoft was acting illegally in integrating products into Windows, the Justice Department would have and should have dismissed its case then and there. But it didn't.

Joel Klein continued attempts to drag more and more issues into the case is telling, Mr. President. Those attempts are a clear sign that the government's real beef with Microsoft is its size. The government can't stand the fact that Microsoft is successful. Microsoft, in the eyes of the Administration, is just too big. So the Justice Department will do everything it can to paint Bill Gates as the bad guy.

As Holman W. Jenkins, Jr. aptly described it in an editorial in Wednes-

day's Wall Street Journal, Joel Klein "has spraypainted the world with subpoenas, calling companies to testify about every failed and not-yet-failed collaboration between competitive allies and allied competitors in the computer industry."

the strategy, according to Rick Rule, is "the old plaintiff's trick of throwing up lots of snippets of dialogue that try to tar the defendant as a bad guy."

Aside from all the legal commentary, the real issue, Mr. President, is that the Justice Department's case against Microsoft is a bad one. Joel Klein knows it, the high-tech community knows it, and I know it.

No legal wrangling can disguise the fact that what the Administration is doing is wrong. It is not only wrong in the sense that the Justice Department will probably lose in the end. But it is wrong in the sense that the very premise on which it stands is at fundamental odds with the free market capitalism that has made this nation great.

#### U.S.-ASIA INSTITUTE

• Mr. INOUE. Mr. President, the U.S.-Asia Institute, a non-profit organization, recently completed its 40th Congressional Staff Delegation to China and Hong Kong in cooperation with the Chinese People's Institute of Foreign Affairs (CPIFA). I am pleased to bring this milestone to the attention of the Senate.

The Institute's commitment to promoting friendship and understanding between countries in Asia and the U.S. government goes back almost 20 years. Founded in 1979 by Esther Kee, Norman Lau Kee, and Joji Konoshima, the U.S.-Asia Institute has been steadily working to achieve its goal through international conferences, seminars, student exchange programs, and Congressional staff trips to Asia.

Among its numerous activities in support of cultural understanding, the U.S.-Asia Institute's Congressional staff trip program to China and Hong Kong is unrivaled. Since its inception in 1985, the China program has hosted more than 320 Congressional staff members in numerous places throughout China—from Heihe in the North on the Russian border to Hainan in the South; from the dynamic coastal cities of Shanghai and Guangzhou to the remote city of Urumqi, an oasis on the ancient Silk Road; and to the capital, Beijing. Over 150 Congressional offices have benefited from the intense, hectic, fact finding programs that provide Congressional staff members a unique opportunity to observe this dynamic nation first-hand and to further their understanding of complex Sino-U.S. relations. This program has survived the sometimes tumultuous relationship between the two countries thanks to the steadfast commitment of the U.S.-Asia Institute and the CPIFA to promote dialog on issues of mutual interest to our two great nations.

I congratulate the U.S.-Asia Institute and CPIFA for their remarkable achievements and hope their long-standing partnership will continue into the 21st century. •

#### TRIBUTE TO LIEUTENANT GENERAL RICHARD A. BURPEE, U.S. AIR FORCE, RETIRED

• Mr. INHOFE. Mr. President, I rise today to pay tribute to an exceptional leader in recognition of a remarkable career of service to his country—Lieutenant General Richard A. Burpee, United States Air Force, retired. Dick Burpee has amassed a truly distinguished record, including 35 years of service in the Air Force uniform, that merits special recognition on the occasion of his retirement as chairman of the board of directors of the Retired Officers Association.

Born and raised in Delton, Michigan, he is now a distinguished citizen of the great State of Oklahoma. He enlisted in the Air Force just after the Korean War in 1953. Subsequently selected for pilot training, he earned his aviator's wings and Second Lieutenant's commission in 1955.

Over the next decade, Dick served in a variety of flying and staff positions, including assignments as an instructor pilot and as an exchange pilot with the Royal Canadian Armed Forces. In the process, he successfully completed studies leading to the award of a bachelor's degree in economics and a master's degree in public administration.

During a 1967-68 tour of duty with the 12th Tactical Fighter Wing in Vietnam, he distinguished himself with a record of 336 combat missions in the F-4 fighter and the award of the Silver Star, two Distinguished Flying Crosses, a Bronze Star and fifteen air medals.

Air Force leaders recognized the talent and potential of this general-to-be and selected him for prestigious positions at Air Force headquarters in Washington, DC, first in the Office of the Director for Operational Test and Evaluation and subsequently as an aide to the Air Force Vice Chief of Staff.

Following completion of the National War College and selection for promotion to the grade of Colonel, he returned to operational flying duty in a series of leadership positions, ultimately serving as Commander of the Strategic Air Command's (SAC) 509th Bombardment Wing in 1974-1975.

Exceeding even the Strategic Air Command's high standards of leadership excellence, Dick Burpee was hardly getting started. Following selection to General officer rank, he carved a path of performance and achievement through assignments at Headquarters Strategic Air Command, as Commander of the 19th air division, and in senior plans and operations positions at Air Force headquarters in the Pentagon. From 1983 to 1985, the great State of Oklahoma had the good fortune to get to know Dick Burpee as a particularly outstanding Commander

of the Oklahoma City Air Logistics Center.

Oklahomans were not alone in recognizing his talents, as he was subsequently promoted to three-star rank and assigned as Director for Operations for the Pentagon's Joint Staff—the highest ranking operations staff officer of our country's Armed Forces.

Finally, in 1988, he was appointed to command the Strategic Air Command's prestigious 15th Air Force, a position he held until his retirement from active military service in 1990.

In addition to the impressive combat record I have already mentioned, I would note that General Burpee's military files reflect an outstanding total of 11,000 flying hours as well as the award of the Defense Distinguished Service Medal, two Distinguished Service Medals, and the Legion of Merit. A true warrior and leader, indeed.

Dick Burpee, however, is not a person who considers even 35 years of arduous service a full working career. Following his retirement, he started a successful consulting business in management and marketing with aerospace industries and government. Since relocating to Oklahoma City in 1991, he has served as vice president for development and vice president of administration at the University of Central Oklahoma, sits on the board of directors of the United Bank in Oklahoma City, and has been deeply involved with the Oklahoma City Chamber of Commerce. Elected to the board of directors of the Retired Officers Association (TROA) in 1992, he was unanimously selected as TROA's chairman of the board in 1996, a position from which he is now retiring.

Through his stewardship, the Retired Officers Association continues to play a vital role as a staunch advocate of legislative initiatives to maintain readiness and improve the quality of life for all members of the uniformed service community—active, reserve and retired, plus their families and survivors.

I won't describe all of his accomplishments, but will briefly touch on some highlights to illustrate his involvement and concern for military people. As chairman, he has championed the fight for health care equity for retirees of the uniformed services, whose access to the military health care system has been severely curtailed by base closures, downsizing, and shrinking military medical budgets. His persistent and well-reasoned proposals have translated into successful legislative initiatives aimed at expanding Medicare-eligible retirees' access to military facilities and allowing them to enroll in the federal employees health benefits program. He also has been one of the most vocal advocates for ending the practice of capping annual pay raises for active and reserve personnel below those enjoyed by the average American. Happily, those efforts are now bearing fruit in the form of full-comparability raises for the

troops in 1999 and, hopefully, from 2000 on.

Taken together, these comprise two of the most important institutional inducements to help reverse declining career retention statistics in all services.

In forcefully articulating the urgency of honoring long-standing health care and retirement commitments to those who have already served and by championing improved quality-of-life initiatives for those now serving, Dick Burpee has significantly raised Congress' sensitivity to these important retention and readiness issues.

Perhaps most importantly, Dick Burpee has distinguished himself and TROA from other, often strident, critics by consistently offering cogent, well-researched plans that outline workable legislative solutions to these complex problems.

My closing observation, with which I am sure you will all agree, is that General Dick Burpee has been, in every sense of the word, a leader in the military, TROA and the entire retired community. Our very best wishes go with him for long life, well-earned happiness, and continued success in service to his Nation and the uniformed servicemembers whom he has so admirably led.

As a former soldier myself, who entered military service at about the same time he did, I offer General Burpee a grateful and heartfelt salute. ●

#### “MEMORIES AND MIRACLES”

● Mr. MOYNIHAN. Mr. President, I rise to commend to the Senate the stirring tale of Jack Ratz, a New Yorker who recently published a remarkable book, *Endless Miracles*. Mr. Ratz, who resides with his wife, Doris, in the Brooklyn neighborhood of Mill Basin, is one of the last survivors of the flourishing Jewish community of Latvia, which lost all but 300 of its 35,000 members during the Holocaust.

Jack Ratz's memoirs is an eloquent refutation to those who would dare to trivialize, distort, or even deny the Holocaust's important lessons. His book well reflects the affirmative message that Jack Ratz shares with New York City school children during his regular visits to the city classrooms.

As the survivors of the Holocaust succumb to old age there are fewer and fewer eyewitnesses to this tragedy. Jack Ratz has provided an invaluable service with his moving account of the Latvian Holocaust experience.

I ask to have printed in the RECORD a recent article in the New York City Jewish Week about Jack Ratz and “Endless Miracles.”

The article follows:

[From the Jewish Week, Aug. 14, 1998]

#### MEMORIES AND MIRACLES

(By Nancy Beiles)

During a recent trip to Riga, Latvia, Jack Ratz visited a museum commemorating Latvian Holocaust victims, and was drawn to a series of photos of camp inmates hanging on the wall. One in particular caught his atten-

tion—a black-and-white photo of a 16-year-old boy, head shaven, wearing work clothes decorated with the Star of David and the number 281.

“I asked the guard, ‘Who are those people?’ He said, ‘they died a long time ago,’ recalled Ratz, of Mill Basin, a Latvian-born Holocaust survivor. “I told him I know three of those people. Two were father and son and yes, they were killed. But the photo of the young fellow on the right—he is talking to you. He is me.”

Ratz had come to Riga to say Kaddish for members of his family killed in the Rumboli Forest in 1941, and to visit the old ghetto where he and his father lived before being sent off to a series of work and concentration camps.

“All of a sudden I saw a picture of myself hanging on the wall and a flash of memories came rushing back to me of 55 years ago,” Ratz recalls, tearfully. “I could only cry. I found myself hanging on the wall with all the dead people.”

Of the 35,000 Jews who lived in Latvia at the time of German occupation in 1941, Ratz is one of just 300 who survived. Because of the scarcity of Latvian survivors, their particular experience during the Holocaust is rarely recounted. “Very few Latvian Jews escaped because the general population was not sympathetic to aiding the Jews,” says William Schulman, director of the Holocaust Resource Center at Queensborough Community College. “The Germans made use of the Latvians to guard the Jews and persecute them, to send them to their death. So there are very few memoirs of survivors.”

Ratz, who is retired from the television repair business, and his American-born wife, Doris, are and trying to fill that gap in Holocaust memory.

The four years he and his father spent in labor and concentration camps and their subsequent liberation forms the basis for Ratz's newly-published memoir, “Endless Miracles” (1998; Shengold Publishers Inc.). Ratz's account caught the attention of Moshe Sheinbaum, president of Shengold Publishers, precisely because it explores episodes of the Holocaust that are not often talked about. “I've published over 70 books on the Holocaust and this is one of the most exciting,” says Sheinbaum. “Very little has been done about Riga.”

Starting with historical background about the Jewish community in Latvia, the book's emotional beginning describes the first Nazi programs in Riga that would eventually spiral into genocide. Shortly after the Germans arrived in Latvia in 1941, displacing the Russians, who had occupied Latvia just a year earlier, they created two Jewish ghettos. One was for able-bodied men, the other for women, children and the disabled. Just 14 at the time, Ratz could have stayed with his mother and younger siblings, but he decided to “take a chance,” he says, and go with his father.

This is the first of the “endless miracles” Ratz describes—fortuitous decisions that saved his life. After he and his father went to the Jewish workers' ghetto, over the course of a few weeks the Nazis executed all the women, children, elderly and disabled men from the other ghetto—including Ratz's mother and siblings—in grisly mass executions in the Rumboli Forest.

With no chance to grieve, Ratz writes, “Even our mourning was cut short. We were forced to return to work immediately under penalty of instant death.” The subsequent years are an accumulation of sorrows and terror.

Ratz and his father were first sent to Lenta, a work camp near Riga, then to Salaspils, a death camp, back to Lenta and from there to Stuthoff, another death camp,